

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/807,572
Filing Date	March 23, 2004
First Named Inventor	David L. Marvit, et al.
Group Art Unit	2629
Examiner Name	Regina Liang
Attorney Docket Number	073338.0193

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

### a. ☐ Previously submitted

- i. ☐ Consider the amendment/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

### b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Change of Correspondence
- v. ☐ Other: Notification of Extension of Time Under 37 C.F.R. § 1.136.

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.  
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.117(i) required)

- b. ☐ Baker Botts L.L.P. return receipt postcard

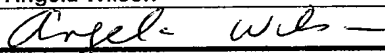

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any fees or credit any overpayments, to  
Deposit Account No. 02-0384 of Baker Botts L.L.P.
  - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$810.00
  - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - iii. ☒ Other payment for additional claims and independent claims in the amount of \$1,948.00
- b. ☐ A check in the amount of \_\_\_\_\_
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Angela Wilson		
Signature		Date	September 21, 2009
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print / Type)	Chad C. Walters	Registration No. (Attorney/Agent)	48,022
Signature		Date	September 21, 2009

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.